

## COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

This declaration is of the following type:

<input checked="" type="checkbox"/>	original	<input type="checkbox"/>	divisional
<input type="checkbox"/>	design	<input type="checkbox"/>	continuation
<input type="checkbox"/>	supplemental	<input type="checkbox"/>	continuation-in-part
<input type="checkbox"/>	national stage of PCT		

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled *Sprinkler With Nozzle For Uniform Fluid Distribution* the specification of which:

(a)  is attached hereto  
(b)  was filed \_\_\_\_\_ as Application Serial No \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).  
(c)  was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 USC 119 (a) – (d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

(d)  no such applications have been filed  
(e)  such application have been filed as follows:

Prior Foreign Application Number(s)	Country (or indicate if PCT)	Date of Filing (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below:

Provisional Application Number(s)	Date of Filing (MM/DD/YYYY)

I hereby claim the benefit under 35 USC § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status-patented, pending, abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Inskeep, J.W., Reg. 33,910  
Fredericks, Charles, Reg. 51,703

Direct All Correspondence to CUSTOMER NUMBER: 37,374

INSKEEP INTELLECTUAL PROPERTY GROUP, INC.  
1225 W. 190<sup>th</sup> Street, Ste. 205  
Gardena, CA 90248  
Attn: James W. Inskeep  
Telephone: (310) 217-6220  
Facsimile: (310) 327-0282

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: <b>Chad McCormick</b>	Date Signed:
Inventors Signature:	
Residence (City, State and/or Country): <b>Riverside, California</b>	Citizenship: <b>US</b>
Post Office Address(Street, City, State, Zip Code, Country): <b>7600 Ambergate Place, #A102, Riverside, CA 92504</b>	

## ASSIGNMENT

WHEREAS, I, Chad McCormick, the ASSIGNOR herein, has invented certain new and useful improvements disclosed in an application for United States Letters Patent entitled *Sprinkler With Nozzle For Uniform Fluid Distribution* filed November 13, 2003 as Application Serial No. \_\_\_\_\_; and

WHEREAS, The Toro Company, a Delaware corporation organized and existing under the laws of the State of California, having a place of business at 8111 Lyndale Avenue South, Bloomington, Minnesota 55420-1196, the ASSIGNEE herein, desires to acquire the entire right, title and interest in and to said inventions, applications and Letters Patent to be granted and issued thereon;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) by the ASSIGNEE to me paid, and other valuable consideration, the receipt and legal sufficiency all of which is hereby acknowledged, I, the said ASSIGNOR, has sold and do hereby sell, assign, transfer and set over unto said ASSIGNEE, its successors and assigns, the entire right, title and interest in and to said inventions and all improvements thereon, in and to said application for Letters Patent thereon, in and to applications pertaining to or based upon said inventions and applications, including divisional and continuing applications and continuations-in-part, and in and to any and all Letters Patent which may be granted and issued on said inventions and applications, or any of them, not only for, to and in the United States of America, its territories and possessions, but for, to and in all countries foreign thereto, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment.

And for the above-named considerations, I do hereby agree that we will, at the request of said ASSIGNEE, execute any and all applications for Letters Patent for said inventions and any and all other papers and documents and do all other and further lawful acts that said ASSIGNEE may deem necessary or desirable to obtain Letters Patent on said inventions, to secure the grant of such Letters Patent and to perfect and vest in the ASSIGNEE the entire right, title and interest in the inventions, applications and Letters Patent.

And for the above-named considerations, I do hereby authorize and empower the ASSIGNEE, its successors and assigns, to apply for and obtain, in its or their own names, Letters Patent for the said inventions before competent International Authorities and in any and all countries foreign to the United States in which applications for Letters Patent can be so made or Letters Patent so obtained.

DATED at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2003.

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Chad McCormick  
7600 Ambergate Place, #A102  
Riverside, CA 92504  
Country: US  
Citizenship: US

STATE OF CALIFORNIA )  
                          ) ss.  
COUNTY OF             )

On this \_\_\_\_ day of \_\_\_\_\_, before me personally appeared Chad McCormick to me known or proved on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

(SEAL)

Notary Public